

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ALDO VERA, JR., as Personal Representative
of the Estate of Aldo Vera, Sr.,

12 Civ. 1596 (AKH)

Plaintiff,

v.

THE REPUBLIC OF CUBA,

Defendant.

v.

BANCO BILBAO VIZCAYA ARGENTARIA (S.A.); and
STANDARD CHARTERED BANK,

Garnishees.

.....

PLAINTIFF'S MOTION TO COMPEL FULL AND COMPLETE
ANSWERS TO INFORMATION SUBPOENAS

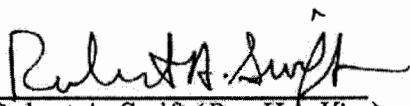
Plaintiff Aldo Vera, Jr., by his undersigned counsel, moves this Court for an Order pursuant to Fed. R. Civ. P. 69(a) and N.Y. C.P.L.R. 5224(a) compelling Garnishees Banco Bilbao Vizcaya Argentaria (S.A.) and Standard Chartered Bank to furnish full and complete answers to an information subpoena served on each. The information subpoena sought information as to property and transactions of the Judgment Debtor Republic of Cuba worldwide. Each Garnishee is known to plaintiff to possess blocked assets of the Defendant, including its agencies and instrumentalities. However, the responses of each Garnishee were limited to property and transactions of the Judgment Debtor inside the United States, and refused to furnish full and complete information as to Defendant's assets located in bank branches outside the United States. Plaintiff believes that he will not be able to collect his full judgment from Cuban

assets in the United States. Therefore information as to the Judgment Debtor's assets and transactions in foreign countries will be material to his ability to fully collect his judgment in foreign countries.

Counsel for plaintiff certifies that he communicated with each Garnishee and its counsel and made various efforts to resolve this dispute without Court intervention but was unsuccessful.

In support of this Motion, plaintiff relies upon its Memorandum of Law and the Declaration of Robert A. Swift, and exhibits thereto, submitted herewith.

Dated: New York, New York
November 12, 2013

By: 
Robert A. Swift (*Pro Hac Vice*)
Kohn, Swift & Graf, P.C.
One South Broad Street, 21st Floor
Philadelphia, PA 19107
(215) 238-1700

Jeffrey E. Glen
Anderson Kill & Olick, P.C.
1251 Avenue of the Americas
New York, NY 10020
(212) 278-1000

Attorneys for Aldo Vera, Jr.